

House File 2268 - Introduced

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BY M. SMITH

A BILL FOR

1 An Act expanding the definition of the term "sex act" in the
2 criminal code and providing penalties.

3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 702.17, Code 2011, is amended to read as
2 follows:

3 **702.17 Sex act.**

4 The term "*sex act*" or "*sexual activity*" means any sexual
5 contact between two or more persons by: penetration of the
6 penis into the vagina or anus; contact between the mouth and
7 genitalia or by contact between the genitalia of one person
8 and the genitalia or anus of another person; contact between
9 the finger or hand of one person and the genitalia or anus
10 of another person or contact between the finger or hand of
11 one person and the clothed or unclothed breast of another
12 person, except in the course of examination or treatment by a
13 person licensed pursuant to chapter 148, 148C, 151, or 152;
14 ejaculation onto the person of another; or by use of artificial
15 sexual organs or substitutes therefor in contact with the
16 genitalia or anus.

17 EXPLANATION

18 This bill expands the definition of the term "sex act" and
19 provides penalties.

20 Under the bill, the term "sex act" includes contact by a
21 finger or hand with the clothed or unclothed breast except in
22 the course of a legitimate medical examination. The bill also
23 expands the definition of "sex act" to include ejaculation onto
24 the person of another.

25 The bill, by expanding the definition of "sex act", also
26 expands the definition of numerous criminal offenses, including
27 but not limited to sexual abuse (Code chapter 709), lascivious
28 acts with a child (Code section 709.8), indecent exposure (Code
29 section 709.9), sexual exploitation by a counselor, therapist,
30 or school employee (Code section 709.15), sexual misconduct
31 with offenders or juveniles (Code section 709.16), abuse of a
32 corpse (Code section 709.18), or enticing a minor away (Code
33 section 710.10).